

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERIC LAMONT MAPLE,	)	
	)	
Petitioner,	)	Case No. 1:10-cv-296-SJM-SPB
	)	
v.	)	
	)	
MICHAEL HARLOW, <i>et al.</i>	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

The instant petition for writ of habeas corpus was received by the Clerk of Court on December 17, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Report and Recommendation, filed on January 7, 2011 [2], recommends that the instant petition for writ of habeas corpus be transferred to the U.S. District Court for the Eastern District of Pennsylvania, inasmuch as Petitioner is challenging the legality of his conviction which occurred in state court in Philadelphia County. The parties were allowed fourteen (14) days from the date of service in which to file objections. Service was made on Petitioner through his appointed counsel. To date, no objections to the Report and Recommendation have been filed.

After de novo review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 4<sup>th</sup> Day of February, 2011;

IT IS ORDERED that the instant petition for writ of habeas corpus shall be TRANSFERRED forthwith to the United States District Court for the Eastern District of Pennsylvania in accordance with 28 U.S.C. § 2241(d).

The Report and Recommendation of Magistrate Judge Baxter, filed on January 7, 2001 [2], is adopted as the opinion of the Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN  
United States District Judge

Cm: All parties of record.

U.S. Magistrate Judge Susan Paradise Baxter